

REMARKS

Applicants thank the Examiner for the thorough consideration given the present application. Claims 1 and 2 are currently being prosecuted. The Examiner is respectfully requested to reconsider his rejections in view of the amendments and remarks as set forth below.

Rejection under 35 USC 112

Claims 1 and 2 stand rejected under 35 USC 112, second paragraph, as being indefinite.

First, the Examiner points out that it is unclear whether the reference to the common core network in line 7 is the same as in line 9. By way of the present amendment, Applicants have changed “a” to --the-- in line 11. Accordingly, this has now been corrected. The Examiner also questions the use of the term “common core network structure.” By way of the present Amendment, Applicants have changed claim 1 and the specification on page 3 to remove this term. Accordingly, Applicants submit that this indefiniteness is overcome.

The Examiner also questions the term, “one common core network” in claim 2. Applicants have now changed “one” to --the--. Accordingly, Applicants submit that this indefiniteness is also removed.

Rejection under 35 USC 103

Claims 1 and 2 stand rejected under 35 USC 103 as being obvious over Mizutani et al., U.S. Patent 6,798,757, in view of the Brewer et al. article, “A Network Architecture for Heterogeneous Mobile Computing.” This rejection is respectfully traversed.

First, Applicants question the propriety of the Brewer et al. article as a reference. It is noted that there is no date given for this reference. Further, according to MPEP 2128, prior art

disclosures on the internet are considered to be publicly available as of the date the item is publicly posted. If the publication does not include a publication date or a retrieval date, it cannot be relied upon as prior art. Applicants submit that, if the Examiner wishes to utilize this reference in a rejection, he must establish a publication date. Applicants note that the present specification has a reference to the Daedalus website on page 6, lines 13 and 14. However, this particular article is not specifically mentioned thereon. Further, no date is given there as well. Accordingly, Applicants submit that the Examiner must either establish a date for this article or remove the article as a reference.

Next, the Examiner points out that Mizutani et al. teaches a mobile system including a mobile manager 34, a resource manager 52, a mobile core network 30, and core networks 30 enabling internet access. The Examiner further states that it inherently includes a plurality of mobile core networks to allow the mobile station to maintain communication. The Examiner admits that Mizutani et al. does not explicitly teach a micro-mobility or macro-mobility management function that supports roaming between heterogeneous radio communication networks.

The Examiner relies on Brewer et al. to teach a wireless overlay network structure which allows for the micro-mobility management function and the macro-mobility management function to support horizontal hand-off between base stations. Claim 1 has now been amended to further describe that the resource manager is responsible for resource allocation and admission control to support the traffic distribution in the common core network. Further, the common core network is now said to support mobile hosts based on a lower network layer of OSI model. Applicants submit that the references do not show the claimed invention as presently amended.

The present invention distinguishes between hybrid networks and heterogeneous networks. In general, various kinds of structures are referred to as hybrid. However, in the present invention, the structures are called heterogeneous to stress the fact that a plurality of access networks are simultaneously present and cooperate with each other. This is described in the present specification. There are differences between the heterogeneous network and a hybrid network. This is especially described on page 5 of the present specification. In heterogeneous networks, communication between wide area networks is based on a lower network layer (a link layer or network area) of the OSI mode. This type of arrangement is different from that shown in the Mizutani et al. reference.

Further, the Brewer et al. article does not disclose such a lower network layer of the OSI mode either. The Examiner has admitted that Mizutani et al. does not teach a management function that supports roaming between heterogeneous radio communication networks. Applicants further submit that the Brewer et al. article does not teach a network structure that allows for this function, based on a lower network layer of OSI model. Since neither of these references teaches this function, Applicants submit that claim 1 is allowable.

Claim 2 depends from claim 1 and, as such, is also considered to be allowable. In addition, this claim further recites other features of the invention which make them additionally allowable.

Conclusion

In view of the above amendments and remarks, it is believed that the claims clearly distinguish over the references cited by the Examiner. In view of this, reconsideration of the rejections and allowance of all the claims are respectfully requested.

Favorable reconsideration and an early Notice of Allowance are earnestly solicited.

Because the additional prior art cited by the Examiner has been included merely to show the state of the prior art and has not been utilized to reject the claims, no further comments concerning these documents are considered necessary at this time.

In the event that any outstanding matters remain in this application, the Examiner is invited to contact the undersigned at (703) 205-8000 in the Washington, D.C. area.

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), the Applicants respectfully petition for a one (1) month extension of time for filing a response in connection with the present application and the required fee of \$120.00 is attached herewith.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: March 17, 2006

Respectfully submitted,

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